

Message

From: Cora, Lori [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C8850941BF1540C796559DCE75C2F5EE-CORA, LORI]
Sent: 3/28/2018 7:08:27 PM
To: Fullagar, Jill [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7ba061353c314b40a14a8be1ee382ae3-Gable, Jill]; Croxton, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ca7b9940863640d5b96f4295ea3c9641-Croxton, Dave]; Opalski, Dan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8b5ed6410d934bf699a008a252791a55-Opalski, Dan]
Subject: RE: OR OA legislation

Attorney Client / Ex. 5

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From: Fullagar, Jill
Sent: Wednesday, March 28, 2018 12:04 PM
To: Croxton, David <Croxton.David@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Opalski, Dan <Opalski.Dan@epa.gov>
Subject: OR OA legislation

Deliberative Process / Ex. 5

Last summer, Oregon passed its own timely OA legislation with **Senate Bill 1039**, establishing the Oregon Coordinating Council on Ocean Acidification and Hypoxia. The Bill reads: "The Legislative Assembly finds and declares that ocean acidification and hypoxia severely endanger the state's commercially and culturally significant ocean resources. The Legislative Assembly therefore declares it to be the policy of the state to ensure a coordinated, effective response to ocean acidification and hypoxia. To facilitate efforts that are coordinated and effective, it is the state's policy to support ocean acidification and hypoxia actions and initiatives that are developed through close collaborations between federal, state and local agencies, academic institutions and commercial industries, among others."

Other language in the bill states: "Oregon is an epicenter for the global manifestation of ocean acidification and hypoxia; the natural seasonal process of upwelling transports corrosive waters into the nearshore and estuaries, causing marine waters within this state's jurisdiction to be especially vulnerable to ocean acidification. Ocean acidification, hypoxia and changes in ocean temperature are intensifying and Oregon has rich and vibrant wild marine fisheries, including shellfish fisheries. Ocean acidification and hypoxia are known to cause mortality and reduced growth and productivity in marine organisms, including in species that form the foundation of the marine food web, and negative impacts from ocean acidification, hypoxia or both have already been observed in species that are commercially, culturally and economically important to this state, including oysters, mussels and crabs."

The Council met for the first time January 25th. It is composed of members of State agencies, academic experts, stakeholders and Tribal interests, who will collaboratively develop recommendations, and advise the State on the

implementation of actions to support the sustainability of Oregon's ocean as OAH intensifies. The first official report to the legislature due in September 2018. They are also creating an OA Action plan for Oregon, due for completion in mid-2019.

Complementary with the OAH Council goals, Oregon is partnering with Washington and California as well as the Province of British Columbia to collaboratively build recommendations and actions that incorporate the unique needs and values of each jurisdiction, while also creating a unified regional strategy.

The legislation is significant for Oregon (and beyond) because it not only establishes the Council, but also specifically states that negative consequences have already been observed in commercially significant species. The more states that recognize the importance of protecting their fisheries from the effects of OA and hypoxia, the more likely it becomes that those same states – and hopefully their neighbors – take concrete action to tackle the problem at the root, by reducing carbon emissions. The Oregon legislature very nearly did that last month, when it considered enacting a cap-and-invest carbon policy. Global Ocean Health, in tandem with the Working Group on Seafood & Energy, testified before Senate and wrote several comment letters, ensuring the most effective and fair policy possible. While the bill didn't pass in 2018, signs are encouraging for 2019.

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